

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SONY BMG MUSIC ENTERTAINMENT, et al.,

No. C-07-4854 MMC

Plaintiffs,

**ORDER ADOPTING REPORT AND RECOMMENDATION; GRANTING PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT**

v.

BRITTANY GRAY,

Defendant

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Before the Court is the Report and Recommendation Re: Application for Default Judgment, filed by Magistrate Judge Wayne D. Brazil on September 15, 2008, by which Magistrate Judge Brazil recommends the Court grant plaintiffs' motion for default judgment. No objections to the Report and Recommendation have been filed.

Having reviewed, de novo, the motion and the Report and Recommendation, the Court hereby ADOPTS the recommendation in full, and, for the reasons expressed in the Report and Recommendation, rules as follows:

1. Plaintiffs shall have judgment in the amount \$6420 against defendant Brittany Raquel Gray, such amount consisting of \$6000 (statutory damages) and \$420 (costs).

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- 1           2. Defendant shall be subject to the following permanent injunction:
- 2            a. Defendant shall be and hereby is ENJOINED from directly or indirectly
- 3 infringing plaintiffs' rights under federal or state law in the Copyrighted Recordings,
- 4 identified in Exhibit A attached hereto, and in any sound recording, whether now in
- 5 existence or later created, that is owned or controlled by plaintiffs or any parent, subsidiary,
- 6 or affiliate record label of plaintiffs) ("Plaintiffs' Recordings"), including without limitation by
- 7 using the Internet or any online media distribution system to reproduce (i.e., download) any
- 8 of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make
- 9 any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a
- 10 lawful license or with the express authority of plaintiffs.
- 11           b. Defendant shall destroy all copies of Plaintiffs' Recordings that defendant
- 12 has downloaded onto any computer hard drive or server without plaintiffs' authorization and
- 13 shall destroy all copies of those downloaded recordings transferred onto any physical
- 14 medium or device in defendant's possession, custody or control.

15           **IT IS SO ORDERED.**

16 Dated: October 15, 2008

  
MAXINE M. CHESNEY  
United States District Judge

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